

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EWING & KREISER, P.C.
500 Fayette Street
Conshohocken, PA 19428

Plaintiff

v.

CHARLES and FLOY STEPHENS
4363 First Avenue
Birmingham, AL 35222

Defendants.

CIVIL ACTION
NO. 2008-5490

**REQUEST FOR ENTRY OF
DEFAULT ON THE DOCKET AND AFFIDAVIT OF COUNSEL**

Please enter upon the Docket the default of Defendants, Charles and Floy Stephen, husband and wife, in the above-entitled action for failure to plead or otherwise defend as provided by the rules of civil practice.

EWING & KREISER, P.C.

BY 

TRAVIS L. KREISER, ESQUIRE
Attorneys for Plaintiff

Dated: February 18, 2009

AFFIDAVIT

1. I am the attorney for the Plaintiff in the above-captioned action.
2. The Summons and an attested copy of the Complaint in the above-captioned action were served upon the Defendants by Certified Mail. See Exhibit A attached hereto.

3. The time within which the Defendants may Answer or otherwise move as to said Complaint has now expired, has not been extended or enlarged.

4. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. The foregoing statements are made subject to the penalties of 18 Pa C.S.A. § 4904 relating to unsworn falsification to authorities.

EWING & KREISER, P.C.

BY: 

TRAVIS L. KREISER, ESQUIRE
Attorneys for Plaintiff

Dated: February 18, 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EWING & KRESIER, P.C.
500 Fayette Street
Conshohocken, PA 19428

Plaintiff

CIVIL ACTION
NO.

v.

CHARLES and FLOY STEPHENS
4363 First Avenue
Birmingham, AL 35222

Defendants .

AFFIDAVIT OF SERVICE BY MAIL ON ALL DEFENDANTS

COUNTY OF MONTGOMERY

:

SS

COMMONWEALTH OF PENNSYLVANIA :

Travis L. Kreiser, being duly sworn according to law and subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities, deposes and says that he is the attorney for Plaintiff, Ewing & Kreiser, P.C. and that he did mail an attested copy of Plaintiff's Complaint in the above-captioned case, by Certified Mail, Return Receipt Requested, to Defendants Charles Stephens at his last known address of 4363 First Avenue, Birmingham, AL 35222 and Charles and Floy Stephens at their last known address of 5000 Spring Rock Road, Birmingham, AL. A true and correct copy of the completed mail receipts evidencing service on December 2, 2008 are attached hereto as Exhibit "A".

EWING & KREISER, P.C.

Dated: December 8, 2008

By: 

TRAVIS L. KREISER, ESQUIRE
ATTORNEYS FOR PLAINTIFF

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X <i>Charles Stephens</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Charles and Floy Stephens 5000 Spring Rock Road Birmingham, AL 35222		B. Received by (Printed Name) <i>C. Stephens</i> C. Date of Delivery <i>12-2-08</i>	
2. Article Number 0 7006 2150 0001 8265 3149		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X <i>J. Breighner</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Charles Stephens 4363 First Avenue Birmingham, AL 35222		B. Received by (Printed Name) <i>J. Breighner</i> C. Date of Delivery	
2. Ar (Transit) 7006 2150 0001 8265 3132		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EWING & KREISER, P.C.
500 Fayette Street
Conshohocken, PA 19428

Plaintiff

v.

CHARLES and FLOY STEPHENS
4363 First Avenue
Birmingham, AL 35222

Defendants.

CIVIL ACTION
NO. 2008-5490

CERTIFICATE OF SERVICE

I TRAVIS L. KREISER, ESQUIRE do hereby certify that a true and correct copy of the foregoing Request for Entry of Default and Certification has been served by regular first class mail postage prepaid, on February 19, 2009 as follows:

Charles Stephens
Floy Stephens
5000 Spring Rock Road
Birmingham, AL 35222

Charles Stephens
Floy Stephens
4363 First Avenue
Birmingham, AL 35222

Dated: February 18, 2009

EWING & KREISER, P.C.

BY:



TRAVIS L. KREISER, ESQUIRE
Attorneys for Plaintiff